

08/02/2019

Fill in this information to identify your case:**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE EASTERN DISTRICT OF TEXAS**Debtor 1 Thomas Lee Carver

First Name

Middle Name

Last Name

Debtor 2 Cecilia Carver

(filing spouse)

First Name

Middle Name

Last Name

Case Number: 19-40859-btr-13

87a/5

TXEB Local Form 3015-b**ORDER CONFIRMING CHAPTER 13 PLAN**

.....Adopted: Dec 2017

Upon completion of a hearing upon proper notice to consider the confirmation of the Chapter 13 Plan proposed by the Debtor1 (the "Plan"), wherein the Court has determined that all of the requisite requirements for confirmation pursuant to § 13252 have been fulfilled by the Debtor, and that all objections to plan confirmation have been overruled or resolved by agreement, the Court finds that just cause exists for the entry of the following order.

IT IS THEREFORE ORDERED:

1. The Debtor's Plan filed on 4/1/2019 [dkt # 5], as amended by this order, is **CONFIRMED**.

2. The Debtor shall pay:

☒ **Constant Payments:** \$830.00 per month for 60 months,

☐ **Variable Payments:** for _____ months pursuant to the schedule set forth in **Exhibit A** to this order, together with those portions of any tax refunds required to be tendered under § 2.4 of the Plan, to:

Carey D. Ebert, Chapter 13 Trustee, P. O. Box 628, Tyler, TX 75710

beginning 5/1/2019 and continuing until all of the allowed claims provided for by the Plan have been paid in accordance with the provisions of the Plan, this Order, or any subsequent order of the Court.

3. Excepting adequate protection payments authorized to be paid by LBR 3015(c), and only to the extent funds are available, the Trustee shall make disbursements on a monthly basis to the holders of allowed claims as set forth in the terms of the Plan and as modified by this Order; provided, however, that the Trustee shall not be required to pay any dividend to any claimant in an amount less than \$15.00 and any dividends deferred under this provision shall be paid when the accumulation of payments due to such claimant shall exceed the sum of \$15.00. Upon the filing of any plan modification motion, however, the Trustee is authorized to suspend disbursements to the holders of allowed claims pending the resolution of that motion in order to determine the effect of the modification upon future disbursements.

1 The use of the singular term "Debtor" in this Order includes both debtors when the case has been initiated by the filing of a joint petition by spouses.
2 All statutory references contained in this Order refer to the Bankruptcy Code, located in Title 11, United States Code.

4. Pursuant to LBR 3015(f)(1), the Plan is amended through this Order without the necessity of further disclosure to creditors in the following manner:

5.3 Liquidation Analysis: Unsecured Claims Under Parts 4 and 5.

If the bankruptcy estate of the Debtor was liquidated under Chapter 7 of the Bankruptcy Code, the holders of priority unsecured claims under Part 4 of this Plan and the holders of nonpriority unsecured claims under Part 5 of this Plan would be paid an aggregate sum of approximately **\$665.54**. Regardless of the particular payment treatments elected under Parts 4 and 5 of this Plan, the aggregate amount of payments which will be paid to the holders of allowed unsecured claims under this Plan will be equivalent to or greater than this amount.

☐ Other Changes That Do Not Require Further Notice to Creditors.³ The Plan is **MODIFIED** in the following manner:

Signed on 08/02/2019

Brenda T. Rhoades

SD

HONORABLE BRENDA T. RHOADES,
UNITED STATES BANKRUPTCY JUDGE

APPROVED AS TO FORM AND SUBSTANCE:

x /s/ Carey D. Ebert
Carey D. Ebert, Chapter 13 Trustee

Date June 26, 2019

x /s/ Marcus B. Leinart
Attorney for Debtor

Date June 26, 2019

³The inclusion of any plan amendment that requires notification under §§ 1.1 – 1.4 of the Chapter 13 Plan may not accomplished through this confirmation order